



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

5720
ARSF-F
May 23, 2013

SENT VIA EMAIL TO: 5613-31751621@REQUESTS.MUCKROCK.COM
MR JASON SMATHERS
MUCKROCK NEWS
DEPT MR 5613
PO BOX 55819
BOSTON MA 02205-5819

Dear Mr. Smathers:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST, FILE
NUMBER USMC-HQ 2013F040581

This refers to your May 9, 2013, FOIA request seeking a copy of the Commandant of the Marine Corps Monthly Report for April 2013. Your request was received on May 10, 2013, and has been assigned file number **USMC-HQ 2013F040581**.

You also assert that you are a representative of the news media. The term 'news' means information that is about current events or that would be of current interest to the public" and you have not demonstrated that in your request. You also have not demonstrated how you will use your editorial skills to turn the raw materials into a distinct work, and distribute that work to an audience. We must, therefore, deny your request for news media status.

You also requested a waiver of all fees because this request is in the public interest. Before making a decision, we must first determine whether your request meets the Department of Defense (DoD) requirements for fee waivers, taking into consideration the following factors:

1. Does the record specifically concern identifiable operations or activities of the Government?
2. If so, is disclosure likely to contribute to public understanding of these operations and activities? Are the releasable contents of the record(s) meaningfully informative in relation to the subject of the request? For example, is this information of wide public interest and will your disclosure be unique in enhancing public knowledge?
3. Is the focus on contributing to public understanding rather than the requester's own understanding or that of a narrow segment of interested persons?
4. Will any likely contribution to public understanding be significant?

Requests for fee waivers should address these requirements in sufficient detail for us to make an informed decision, as each request is considered on its own merits. Once we receive your response, we will make a determination.

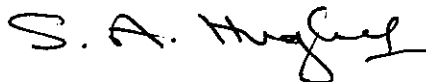
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In the interim, we have categorized you as an "other requester" for the purpose of assessing FOIA processing fees. As such, you are entitled to two hours of search time and 100 pages of duplication free of charge but are responsible for the payment of any fees beyond that. Fees are currently assessed at \$20.00 per hour for clerical search, \$44.00 per hour for professional search, and \$.15 per page for photocopy duplication. See 32 C.F.R. § 286 Subpart F.

We have placed your request into our processing queue. The statutory time limit for providing you a substantive response is 20 business days, i.e., not to include weekends or holidays. Due to the federal holiday on May 27, 2013, the date for providing a substantive response is June 10, 2013, with the caveat that this time will be tolled if we need to re-address fees. Occasionally, additional time is needed for us to provide a complete response, in which case we will notify you within the 20-day timeframe.

Questions concerning this action should be directed to Ms. Barbara Gonzalez at (571) 256-8636 or (703) 614-4008, or via email to smb.hqmc.foia@usmc.mil or fax at (703) 614-6287. Please reference the file number in the subject line above. Finally, please note that I am the official responsible for this determination. Should you have questions or concerns, you may contact me at (703) 614-4008.

Sincerely,

A handwritten signature in black ink, appearing to read "S. A. Hughes", written in a cursive style.

S. A. HUGHES
Head, FOIA/PA Section